

Applicant or Inventor: Malcolm J. Simons Attorney's
Serial or Patent No.: _____ Docket No.: 169,0018
Filed or Issued: July 11, 1990
Title: INTRON SEQUENCE ANALYSIS METHOD FOR DETECTION OF
ADJACENT AND REMOTE LOCUS ALLELES AS HAPLOTYPES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN

I hereby declare that I am:

- ☐ the owner of the small business concern identified below.
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Concern: GENETYPE A.G.

Address of Concern: Neugasse 11
6300 Zug, Switzerland

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled INTRON SEQUENCE ANALYSIS METHOD FOR DETECTION OF ADJACENT AND REMOTE LOCUS ALLELES AS HAPLOTYPES by inventor(s) Malcolm J. Simons described in:

- ☒ the specification filed herewith.
☐ attorney docket no. _____, filed _____.
☐ application serial no. _____, filed _____.
☐ patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: _____
Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name: _____
Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: David A. Cunningham
Title of Person Other Than Owner: Executive Vice President - Company Secretary
Address of Person Signing: 851 Burlway Road, Suite 704
Burlingame, CA 94010

Signature David A. Cunningham Date July 6th 1990

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States Patent is sought on the invention entitled:

INTRON SEQUENCE ANALYSIS METHOD FOR DETECTION OF ADJACENT
AND REMOTE LOCUS ALLELES AS HAPLOTYPES

the specification of which:

- ☐ is attached hereto
- ☒ was filed on July 11, 1990 as Attorney Docket Number 169.0018
- ☐ was filed on _____, as Application Serial Number _____
- ☐ was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code §119 of the foreign application(s) for patent or inventor's certificate indicated below and have also identified below any foreign application(s) for patent or inventor's certificate for the same subject matter having a filing date before that of the application for said subject matter the priority of which is claimed:

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>	<u>Priority Claimed</u>	
<u>None.</u>	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or Patent Cooperation Treaty international filing date of this application.

<u>Application Serial Number</u>	<u>Filing Date</u>	<u>Status (pending, abandoned, patented)</u>
<u>07/465,863</u>	<u>January 16, 1990</u>	<u>pending.</u>
<u>07/405,499</u>	<u>September 11, 1989</u>	<u>abandoned.</u>
<u>07/398,217</u>	<u>August 25, 1989</u>	<u>abandoned.</u>

I hereby appoint the following:

WILLIAM B. WALKER, Reg. No. 22,498
LAURA TERLIZZI, Reg. No. 31,307

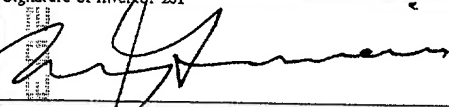
respectively and individually, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to Laura Terlizzi, whose address and telephone number is:

WILLIAM B. WALKER
Professional Corporation
2021 The Alameda, Suite 110
San Jose, California 95126
U.S.A

(408) 249-7750

2 0 1	Full Name of Inventor	Family Name Simons	First Given Name Malcolm	Second Given Name J.
	Residence & Citizenship	City Fryerstown	State or Foreign Country Victoria, Australia	Country of Citizenship New Zealand
	Post Office Address	Post Office Address Breakneck Road	City Fryerstown	State & ZIP Code/Country Victoria, 3451 Australia
2 0 2	Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & ZIP Code/Country
2 0 3	Full Name of Inventor	Family Name	First Given Name	Second Given Name
	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
	Post Office Address	Post Office Address	City	State & ZIP Code/Country

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201 	Signature of Inventor 202	Signature of Inventor 203
Date 23/7/90.	Date	Date

IMPORTANT: Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.

07551239

Attorney Docket Number 169.0018

ASSIGNMENT

WHEREAS, I, MALCOLM J. SIMONS, have invented certain new and useful improvements in INTRON SEQUENCE ANALYSIS METHOD FOR DETECTION OF ADJACENT AND REMOTE LOCUS ALLELES AS HAPLOTYPES, for which application Attorney Docket Number 169.0018 for Letters Patent of The United States of America has been executed by me on even date herewith;

AND WHEREAS, GENETYPE A.G., a corporation of SWITZERLAND, having an address at HEUGASSE 11, 6300 ZUG, is desirous of acquiring an interest therein and in the Letters Patent to be obtained therefor from the United States;

NOW THEREFORE, be it known by all whom it may concern, that for and in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, I, MALCOLM J. SIMONS, by these presents do hereby assign, sell and transfer unto the said GENETYPE A.G., for the territory of The United States of America and for all foreign countries, the full and exclusive right, title and interest, including all rights under all International Conventions for the Protection of Industrial Property, in and to said invention, as fully set forth and described in the specification of the application for Letters Patent of the United States executed by us; said invention, application and Letters Patent to be held and enjoyed by the said GENETYPE A.G., for its own use and behoof, and for the use and behoof of its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made.

MS423 RMS54

Attorney Docket Number 169.0018

IN WITNESS WHEREOF, I, MALCOLM J. SIMONS, have hereunto subscribed my names
to this assignment.

6.6.1990

Date

MALCOLM J. SIMONS

RECORDED
PATENT AND TRADEMARK
OFFICE

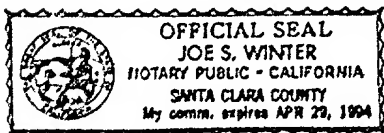
JUL 11 1990

RM 5423 RM 555

STATE OF California)
COUNTY OF Santa Clara) ss.

On this 06th day of June in the year 1990, before me
Joe S Winter, a Notary Public in and for said
State, personally appeared Malcolm J. Simons personally known
to me for who proved to me on the basis of satisfactory evidence) to be the
person whose name is subscribed to the within instrument, and acknowledged that
he executed it.

WITNESS my hand and Official Seal.



Joe S Winter
Signature of Notary
Notary Public of the State of CA
Residing in San Jose
My Commission expires April 29, 1994